

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 15-0933.01 Jery Payne x2157

HOUSE BILL 15-1375

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Crowder,

House Committees
Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING LADDER SAFETY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires a ladder to be secured if it is used on an unstable or elevated surface. Construction workers must follow federal, state, and local laws concerning ladders. Construction entities are encouraged to establish safety training programs for job-site use of ladders, and insurance providers are encouraged to implement programs that lower insurance premiums for construction entities that establish training and safety programs.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds, determines, and declares that:

4 (a) Falls are the leading cause of accidental death in construction,
5 and every year, falls from ladders make up nearly a third of those deaths;

6 (b) Falls remain a leading cause of unintentional injury mortality
7 nationwide, and forty-three percent of fatal falls in the last decade have
8 involved ladders;

9 (c) Among construction workers, an estimated eighty-one percent
10 of fall injuries treated in emergency rooms involve a ladder;

11 (d) Unsecured ladders are the leading cause of ladder injuries
12 including deaths;

13 (e) Falls from ladders can be prevented and lives can be saved by
14 following appropriate workplace safety practices;

15 (f) Employers have a responsibility to provide training and a safe
16 and healthful workplace for their workers and to provide the right
17 equipment for their workers to do their jobs safely and efficiently; and

18 (g) Using proper equipment and training, employers can recognize
19 economic benefits through fewer health care claims, reduced loss of time
20 on the job, reduced worker injuries, reduced health care costs, and
21 reduced workers' compensation claims.

22 **SECTION 1.** In Colorado Revised Statutes, **add** article 5.6 to title
23 9 as follows:

24 **ARTICLE 5.6**

25 **Ladders**

26 **9-5.6-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "CONSTRUCTION ENTITY" MEANS ANY PERSON WHO EMPLOYS
3 A CONSTRUCTION WORKER TO BUILD, REPAIR, OR IMPROVE LAND,
4 STRUCTURES, OR FACILITIES.

5 (2) "CONSTRUCTION WORKER" MEANS AN INDIVIDUAL WHO
6 BUILDS, REPAIRS, OR IMPROVES LAND, STRUCTURES, OR FACILITIES FOR
7 REMUNERATION.

8 (3) "LADDER" MEANS A STRUCTURE THAT:

9 (a) COMMONLY CONSISTS OF TWO SIDE PIECES BETWEEN WHICH A
10 SERIES OF BARS OR RUNGS ARE SET;

11 (b) FORMS A MEANS OF CLIMBING UP OR DOWN; AND

12 (c) ARE DESIGNED TO BE USED AT AN ANGLE OF SEVENTY-FIVE
13 DEGREES.

14 **9-5.6-102. Ladder safety.** EXCEPT AS PROVIDED IN SECTION
15 9-5.6-103, A CONSTRUCTION WORKER SHALL OBEY ANY FEDERAL, STATE,
16 AND LOCAL LAW GOVERNING LADDER USE.

17 **9-5.6-103. Ladders secured.** IF A LADDER IS BEING USED ON AN
18 UNSTABLE OR ELEVATED SURFACE, A CONSTRUCTION WORKER SHALL NOT
19 USE THE LADDER UNLESS IT IS SECURED.

20 **9-5.6-104. Emergencies.** NOTWITHSTANDING SECTION 9-5.6-102,
21 A CONSTRUCTION WORKER MAY USE A LADDER IN VIOLATION OF FEDERAL,
22 STATE, AND LOCAL LAW GOVERNING LADDER USE IN AN EMERGENCY THAT
23 THREATENS THE SAFETY OF ANY PERSON.

24 **9-5.6-105. Construction entities - training programs**
25 **encouraged.** ALL CONSTRUCTION ENTITIES ARE ENCOURAGED TO
26 ESTABLISH SAFETY TRAINING PROGRAMS FOR JOB SITE USE OF LADDERS.

27 **9-5.6-106. Training benefits.** USING PROPER EQUIPMENT AND

1 TRAINING, EMPLOYERS CAN RECOGNIZE ECONOMIC BENEFITS THROUGH
2 FEWER HEALTH CARE CLAIMS, REDUCED LOSS OF TIME ON THE JOB,
3 REDUCED WORKER INJURIES, REDUCED HEALTH CARE COSTS, AND
4 REDUCED WORKERS' COMPENSATION CLAIMS.

5 **9-5.6-107. Insurance gains.** INSURANCE PROVIDERS ARE
6 ENCOURAGED TO IMPLEMENT PROGRAMS THAT LOWER INSURANCE
7 PREMIUMS FOR CONSTRUCTION ENTITIES THAT ESTABLISH TRAINING AND
8 SAFETY PROGRAMS FOR LADDER USE.

9 **SECTION 2. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2016 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.